

## Request for Reconsideration after Final Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	79132843
LAW OFFICE ASSIGNED	LAW OFFICE 106
MARK SECTION	
MARK	<a href="http://tmng-al.uspto.gov/resting2/api/img/79132843/large">http://tmng-al.uspto.gov/resting2/api/img/79132843/large</a>
LITERAL ELEMENT	SCROCCHI
STANDARD CHARACTERS	YES
USPTO-GENERATED IMAGE	YES
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font style, size or color.
GOODS AND/OR SERVICES SECTION (current)	
INTERNATIONAL CLASS	030
DESCRIPTION	
Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from flour, namely, breakfast cereals and cereal bars, bread, pastry and confectionery, namely, salted and savory snacks and crackers; ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, condiments; spices; ice	
GOODS AND/OR SERVICES SECTION (proposed)	
INTERNATIONAL CLASS	030
TRACKED TEXT DESCRIPTION	
Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; <del>flour and preparations made from flour, namely, breakfast cereals and cereal bars, bread, pastry and confectionery, namely, salted and savory snacks and crackers;</del> <u>flour and preparations made from cereals, namely, breakfast cereals and cereal bars, bread, pastry and confectionery, namely, salted and savory snacks and crackers;</u> <del>ices;</del> honey, treacle; yeast, baking-powder; salt, mustard; <u>vinegar, condiments, namely tomato powder, granular garlic, granular onion, rosemary, oregano, olive bites, basil powder, sesame seeds and fennel seeds;</u> <del>vinegar, condiments;</del> spices; ice	

<b>FINAL DESCRIPTION</b>	
Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, namely, breakfast cereals and cereal bars, bread, pastry and confectionery, namely, salted and savory snacks and crackers; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, condiments, namely tomato powder, granular garlic, granular onion, rosemary, oregano, olive bites, basil powder, sesame seeds and fennel seeds; spices; ice	
<b>ADDITIONAL STATEMENTS SECTION</b>	
<b>MISCELLANEOUS STATEMENT</b>	
<b>MISCELLANEOUS FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">mis-10419221734-20151008114034688759_.T15002_amd2.pdf</a>
<b>CONVERTED PDF FILE(S) (3 pages)</b>	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\791\328\79132843\xml20\RFR0002.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\791\328\79132843\xml20\RFR0003.JPG</a>
	<a href="#">\\TICRS\EXPORT16\IMAGEOUT16\791\328\79132843\xml20\RFR0004.JPG</a>
<b>SIGNATURE SECTION</b>	
<b>RESPONSE SIGNATURE</b>	/Leonard Holtz/
<b>SIGNATORY'S NAME</b>	Leonard Holtz
<b>SIGNATORY'S POSITION</b>	Attorney of record, New York bar member
<b>SIGNATORY'S PHONE NUMBER</b>	212-319-4900
<b>DATE SIGNED</b>	10/08/2015
<b>AUTHORIZED SIGNATORY</b>	YES
<b>CONCURRENT APPEAL NOTICE FILED</b>	NO
<b>FILING INFORMATION SECTION</b>	
<b>SUBMIT DATE</b>	Thu Oct 08 12:05:31 EDT 2015
<b>TEAS STAMP</b>	USPTO/RFR-104.192.217.34- 20151008120531447918-7913 2843-5407f63c867b81fd3a52 7a2d4689ec482f191b155056f cad9bf9bccc291ab0f771-N/A -N/A-20151008114034688759

## **Request for Reconsideration after Final Action To the Commissioner for Trademarks:**

Application serial no. **79132843** SCROCCHI(Standard Characters, see <http://tmng-al.uspto.gov/resting2/api/img/79132843/large>) has been amended as follows:

### **CLASSIFICATION AND LISTING OF GOODS/SERVICES**

**Applicant proposes to amend the following class of goods/services in the application:**

**Current:** Class 030 for Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from flour, namely, breakfast cereals and cereal bars, bread, pastry and confectionery, namely, salted and savory snacks and crackers; ices; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, condiments; spices; ice

Original Filing Basis:

**Filing Basis Section 66(a)** , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

### **Proposed:**

**Tracked Text Description:** Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; ~~flour and preparations made from flour, namely, breakfast cereals and cereal bars, bread, pastry and confectionery, namely, salted and savory snacks and crackers;~~ flour and preparations made from cereals, namely, breakfast cereals and cereal bars, bread, pastry and confectionery, namely, salted and savory snacks and crackers; ~~ices;~~ honey, treacle; yeast, baking-powder; salt, mustard; vinegar, condiments, namely tomato powder, granular garlic, granular onion, rosemary, oregano, olive bites, basil powder, sesame seeds and fennel seeds; ~~vinegar, condiments;~~ spices; ice

Class 030 for Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from cereals, namely, breakfast cereals and cereal bars, bread, pastry and confectionery, namely, salted and savory snacks and crackers; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, condiments, namely tomato powder, granular garlic, granular onion, rosemary, oregano, olive bites, basil powder, sesame seeds and fennel seeds; spices; ice

**Filing Basis Section 66(a)** , Request for Extension of Protection to the United States. Section 66(a) of the Trademark Act, 15 U.S.C. §1141f.

### **ADDITIONAL STATEMENTS**

#### **Miscellaneous Statement**

#### **Original PDF file:**

[mis-10419221734-20151008114034688759\\_.T15002\\_amd2.pdf](#)

#### **Converted PDF file(s)** ( 3 pages)

[Miscellaneous File1](#)

[Miscellaneous File2](#)

[Miscellaneous File3](#)

**SIGNATURE(S)**

**Request for Reconsideration Signature**

Signature: /Leonard Holtz/ Date: 10/08/2015

Signatory's Name: Leonard Holtz

Signatory's Position: Attorney of record, New York bar member

Signatory's Phone Number: 212-319-4900

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian attorney/agent not currently associated with his/her company/firm previously represented the owner/holder in this matter: (1) the owner/holder has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the owner/holder has filed a power of attorney appointing him/her in this matter; or (4) the owner's/holder's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

The applicant is not filing a Notice of Appeal in conjunction with this Request for Reconsideration.

Serial Number: 79132843

Internet Transmission Date: Thu Oct 08 12:05:31 EDT 2015

TEAS Stamp: USPTO/RFR-104.192.217.34-201510081205314

47918-79132843-5407f63c867b81fd3a527a2d4

689ec482f191b155056fcad9bf9bccc291ab0f77

1-N/A-N/A-20151008114034688759

**In the United States Patent and Trademark Office**

Filing via TEAS on October 8, 2015

<b>Applicant</b>	Laurieri Francesco	<b>Attorney Docket</b>	T15002
<b>App. No.</b>	79132843	<b>Examining Attorney</b>	Bernice Middleton
<b>Filed</b>	May 28, 2013	<b>Customer No.</b>	01933
<b>Mark</b>	SCROCCHI		

**AMENDMENT**

This is responsive to the Office Action mailed April 9, 2015, a response to which is due on October 9, 2015.

The April 9, 2015 Office Action required that the Applicant (1) amend the identification of goods to be more definite and (2) provide a translation of the foreign wording.

### **AMENDMENT**

Applicant hereby amends the Identification of Goods to read as follows:

IC 030: Coffee, tea, cocoa, sugar, rice, tapioca, sago, artificial coffee; flour and preparations made from ~~flour~~ cereals, namely breakfast cereals and cereal bars, bread, pastry and confectionery, namely salted and savory snacks and crackers; ~~ices~~; honey, treacle; yeast, baking-powder; salt, mustard; vinegar, condiments, namely tomato powder, granular garlic, granular onion, rosemary, oregano, olive bites, basil powder, sesame seeds and fennel seeds; spices; ice.

### **REMARKS**

Reconsideration of the present application is respectfully requested.

With regard to the requirement by the Examining Attorney to provide a translation of the foreign word “SCROCCHI”, the Applicant again disagrees with the Examining Attorney’s translation.

The Applicant contends that “SCROCCHI” is his creation because it is derived from the Italian word “SCROCCHIARELLE”, which is a typical Italian bakery product. “SCROCCHIARELLE” was shortened to “SCROCCHI” by the Applicant for ease of speaking in the English language. The Applicant disagrees that the translated name of the mark should be “latches”.

With regard to the Identification of Goods, such identification has been amended above. The Identification of Goods has been amended only to further clarify or limit the goods as requested by the Examining Attorney.

No new matter has been added to the Identification of Goods to broaden or change the scope.

\* \* \* \* \*

Entry of this Amendment and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to contact the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

/Leonard Holtz/

Leonard Holtz  
Attorney of Record  
Reg. No. 22,974

**Customer No.01933**

Holtz Holtz Goodman & Chick PC  
(212) 319-4900  
[mail@hhpatent.com](mailto:mail@hhpatent.com)  
LH:aep